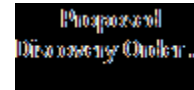


EXHIBIT 1

Martinez, Julia (USAVAE)

From: Martinez, Julia (USAVAE)
Sent: Tuesday, November 04, 2014 2:17 PM
To: 'Amy L. Austin'; 'Charles Burnham';
'Daniel T. Lopez'; 'David P. Baugh';
'Dwight E. Crawley'; 'Edward B.
MacMahon'; 'Elita C. Amato'; 'Frank
Salvato'; 'Gretchen L. Taylor'; 'Jeffrey
D. Zimmerman'; 'Jerome P. Aquino';
'Joan C. Robin'; 'John A. Rockecharlie';
'Jonathan P. Sheldon'; 'Katherine
Martell'; 'Keva J. McDonald'; 'Lana M.
Manitta'; 'Manuel E. Leiva'; 'Meredity
M. Ralls'; 'Nina Ginsberg'; 'Pleasant S.
Broadnax'; 'Rebecca Wade'; 'Robert L.
Jenkins'; 'William M. Chick'
Cc: Campbell, Steve (USAVAE)
Subject: U.S. v. Romero Cruz et al., 1:14CR306

Julia K. Martinez
Assistant United States Attorney
United States Attorney's Office
Eastern District of Virginia
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel (703) 299-3905
Fax(703) 299-3982



Counsel,

Attached is a proposed discovery order for this case. While similar to the standard discovery order we use in the vast majority of cases, this version provides more generous deadlines, commensurate with those used in our office's most recent death penalty-eligible and complex gang cases. We will be producing a significant volume of discovery this month.

Please let us know if you agree to this order. We can sign and enter it, with your client's name added, at the arraignment. If your client's arraignment has already occurred, we can file directly with the Court. We look forward to working with you all.

Julia

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 1:14-CR-306
)	
XXXXXXXXXXXXXXXXXXXXXXX,)	The Honorable Gerald Bruce Lee
)	
Defendant)	
)	
)	

ORDER

Upon the motion of the defendant, XXXXXXXXXXXXXXX, by and through counsel, and with the agreement of the government, by and through its counsel, it is hereby,

I. Discovery and Inspection

ORDERED pursuant to FED. R. CRIM. P. 16(a), that:

1. The government shall disclose to the defendant and make available for inspection, copying, or photographing: any relevant written or recorded statements made by the defendant, or copies thereof, within the possession, custody, or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the government; that portion of any written record containing the substance of any relevant oral statement made by the defendant whether before or after arrest in response to interrogation by any person then known to the defendant to be a government agent; recorded testimony of the defendant before a grand jury which relates to the offense charged; and the substance of any other relevant oral statement made by the defendant whether before or after arrest in response to

interrogation by any person then known by the defendant to be a government agent if the government intends to use that statement at trial.

2. The government shall furnish to the defendant such copy of his prior criminal record, if any, as is within the possession, custody, or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the government.

3. The government shall permit the defendant to inspect and copy or photograph books, papers, documents, data, photographs, tangible objects, buildings or places, or copies or portions thereof, which are within the possession, custody or control of the government, and which are material to the preparation of his defense or are intended for use by the government as evidence in chief at the trial, or were obtained from or belong to the defendant.

4. The government shall permit the defendant to inspect and copy or photograph any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof, which are within the possession, custody, or control of the government, the existence of which is known, or by the exercise of due diligence may become known to the attorney for the government, and which are material to the preparation of the defense or are intended for use by the government as evidence in chief at the trial.

It is further ORDERED that

5. The government shall disclose to the defendant no later than thirty calendar days before trial a written summary of testimony the government intends to use under Rules 702, 703, or 705, FEDERAL RULES OF EVIDENCE, at trial. This summary shall describe the witnesses' opinions, the bases and reasons therefor, and the witnesses' qualifications. In an appropriate

case, and for good cause shown, either party may move the Court for an Order requesting earlier or later disclosure of expert witness notice and summaries.

It is further ORDERED pursuant to FED. R. CRIM. P. 16(b), that upon government compliance with the foregoing,

6. The defendant shall permit the government to inspect and copy or photograph books, papers, documents, data, photographs, tangible objects, or copies or portions thereof, which the defendant intends to use in the defendant's case-in-chief at trial.

7. The defendant shall permit the government to inspect and copy or photograph any results or reports of physical or mental examination and of scientific test or experiments made in connection with the particular case, or copies thereof, within the possession or control of the defendant, which the defendant intends use in the defendant's case-in-chief at trial or which were prepared by a witness whom the defendant intends to call at the trial when the results or reports relate to his testimony.

8. The defendant shall disclose to the government no later than thirty calendar days before trial, a written summary of testimony the defendant intends to use under Rules 702, 703, and 705, FEDERAL RULES OF EVIDENCE, as evidence at trial. This summary shall describe the witnesses' opinions, the bases and reasons therefor, and the witnesses' qualifications. In an appropriate case, and for good cause shown, either party may move the Court for an Order requesting earlier or later disclosure of expert witness notice and summaries.

II. FEDERAL RULE OF EVIDENCE 404(b)

It is further ORDERED that, no later than ten business days before trial, the government shall provide notice to the defendant, in accordance with FED. R. EVID. 404(b), of the general

nature of any evidence of other crimes, wrongs, or acts of defendant which it intends to introduce at trial, except that, upon motion of the government and for good cause shown, the court may excuse such pretrial notice.

III. Brady Material

It is further ORDERED that the government shall comply with its obligations to produce promptly exculpatory material as required by Brady v. Maryland, 373 U.S. 83 (1963) and United States v. Agurs, 427 U.S. 97 (1976).

IV. Jencks/Giglio Materials

It is further ORDERED that, no later than ten business days before trial, the government shall produce to the defendant the Jencks Act and Giglio materials for the witnesses who will testify in the government's case in chief.

Counsel for the defendant may disclose the contents of said Jencks Act and Giglio materials to his client, but may not provide his client with said documents or reproductions thereof.

At the request of the government and consistent with the ethical responsibilities of defense counsel, all Jencks Act, Giglio materials and reproductions thereof shall be returned to the United States Attorney's Office forthwith at the conclusion of the litigation of the case.

It is further ORDERED pursuant to FED. R. CRIM. P. 26.2, that no later than ten business days prior to trial, the defendant, by and through his counsel, shall produce to the government the statements of any witness, other than the defendant, who will testify on behalf of the defendant.

V. Notice of Alibi

It is further ORDERED pursuant to FED. R. CRIM. P. 12.1 that, no later than 30 calendar days before trial, the defendant, by and through counsel, shall comply with Rule 12.1(a) if the defendant intends to offer a defense of alibi, and further that the defendant and the government shall comply with Rules 12.1(b) and (c) within the time period set out in those rules, except upon motion of the parties and for good cause shown.

The Honorable Gerald Bruce Lee
United States District Judge

Date: _____
Alexandria, Virginia

We ask for this:

Dana J. Boente
United States Attorney

XXXXXXXXXX
XXXXXXXXXX
Counsel for Defendant

By: _____
Stephen M. Campbell
Julia K. Martinez
Assistant United States Attorneys